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7 Attorney for Defendant  
8 Life and Style Fashions, Inc.

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11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 UNITED FABRICS INTERNATIONAL, INC., ) CASE NO. 2:15-CV-05733-ODW-E  
14 a California Corporation, )

15 Plaintiff, )

16 v. )

17 LIFE N STYLE FASHIONS, INC., a New York )  
18 corporation; SECOND SKIN LLC; and )  
19 DOES 1 - 10, )

20 Defendants. )

DECLARATION OF GLORIA  
TSUI-YIP IN SUPPORT OF  
ALAN M. KLEIN'S MOTION FOR  
LEAVE TO WITHDRAW AS  
COUNSEL FOR DEFENDANT  
LIFE N STYLE FASHIONS, INC.

DATE: August 29, 2016  
TIME: 1:30 p.m.  
PLACE: Courtroom 11

21 I, Gloria Tsui-Yip, declare as follows:

22 1. I am an attorney at law duly licensed to practice in the State of New  
23 York and the State of New Jersey. I am further admitted to practice before the District Court  
24 of New Jersey; the Southern, Eastern, and Western District Courts of New York and the United  
25 States Court of Appeal for the Federal Circuit. I am a partner at Miskin & Tsui-Yip, LLP  
26 ("Miskin & Tsui-Yip"), a New York law firm, that represented defendant Life and Style  
27 Fashions, Inc. ("Life and Style") in its intellectual property matters. I have personal and  
28 firsthand knowledge of the matters set forth in this declaration and, if called and sworn as a  
witness, I could and would competently testify thereto under oath.

DECLARATION OF GLORIA TSUI-YIP IN SUPPORT OF MOTION FOR  
LEAVE TO WITHDRAW AS COUNSEL FOR LIFE N STYLE FASHIONS, INC.

1           2.       Miskin & Tsui-Yip has served as counsel to Life and Style on  
2 Intellectual Property since as early as 2011. Miskin & Tsui-Yip was retained by Life and Style  
3 on or about September 15, 2015, when Life and Style brought the Complaint it was served in  
4 this action with to our firm to handle.

5           3.       On or about September 17, 2015, Miskin & Tsui-Yip retained Alan M. Klein  
6 of the Law Office of Alan M. Klein Corp. ("Alan M. Klein") to serve as counsel for  
7 Life and Style in this action.

8           4.       Alan M. Klein bills Miskin & Tsui-Yip for the work he performs in  
9 connection with this matter. Miskin & Tsui-Yip, in turn, includes those fees when it  
10 sends bills to Life and Style.

11           5.       All correspondence and communications from and to Life and Style in  
12 connection with this lawsuit has solely been with Miskin & Tsui-Yip.

13           6.       Since September 15, 2015, Miskin & Tsui-Yip has devoted at least  
14 eleven (11) hours to representing Life and Style in this matter, but Life and Style has  
15 not paid for any of the work performed and the fees accrued or for the legal work  
16 performed by Alan M. Klein. Despite numerous bills and letters being sent to Life and  
17 Style, Life and Style has been delinquent in paying Miskin & Tsui-Yip for over ten  
18 months for invoices incurred for other Intellectual Property matters.

19           7.       Life and Style's failure to pay Miskin & Tsui-Yip has rendered Miskin  
20 & Tsui-Yip unable to pay Alan M. Klein for his work in connection with this action.

21           8.       Miskin & Tsui-Yip has sent multiple written demands for payment to  
22 Life and Style, including one sent on March 18, 2016, advising Life and Style that  
23 failure to pay would result in Miskin & Tsui-Yip's withdrawal as counsel.

24           9.       Miskin & Tsui-Yip is a small law firm located in New York, New  
25 York. Continued representation without payment for fees and costs that have accrued  
26 and continue to accrue would be a substantial and unreasonable financial burden.

1 Similarly, the prospect of further uncompensated work and financial outlay also creates  
2 an unreasonable financial burden.

3 10. In addition to Life and Style's failure to pay for Miskin & Tsui-Yip's  
4 legal services, Life and Style has engaged in conduct that has made it unreasonably  
5 difficult for Miskin & Tsui-Yip to represent Life and Style in this matter. Life and Style has  
6 failed to provide information and responses necessary for proper representation upon multiple  
7 written and oral requests. Due to Life and Style's conduct, namely its failure to communicate,  
8 there has been a total breakdown in the attorney-client relationship, which has rendered us  
9 unable to represent Life and Style in a meaningful and competent manner.

10 11. On March 18, 2016, I sent to Life and Style's President and Vice  
11 President via regular mail and e-mail an additional notice of our intent to withdraw as counsel  
12 in this action if it does not pay accrued fees by March 25, 2016, and assure us that prompt  
13 payment will be made on all future fees and that moving forward, it will provide us with  
14 necessary information upon request. The March 18, 2016 letter explained that, as an  
15 organization, Life and Style could not continue in the action *pro se* and would have to retain  
16 new counsel. As of my execution of this Declaration, Life and Style has failed to fulfill or  
17 even respond to any of our requests.

18 12. On information and belief, Life and Style's address is 1400 Broadway,  
19 Suite 815, New York, NY 10018 and its phone number is 212-629-7315.

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**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to this action and a member of the bar of this court. My business address is 16311 Ventura Blvd., Suite 1200, Encino, California 91436.

I hereby declare that on July 20, 2016, a copy of the foregoing document was filed with the United States District Court for the Central District of California in accordance with its Electronic Case Filing (ECF) procedures and served upon the attorneys of record for the parties to this action through ECF via e-mail through ECF to:

Stephen M. Doniger, Esq.

Scott A. Burroughs, Esq.

Trevor W. Barrett, Esq.

DONIGER / BURROUGHS

603 Rose Avenue

Venice, California 90291

Attorneys for United Fabrics  
International, Inc.

I also, on said date, mailed a copy of the foregoing document, by first class mail, with postage pre-paid, addressed to:

Sunny Kakar, Vice President

Life N Style Fashions, Inc.

1400 Broadway, Suite 815

New York NY 10018

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed this 20<sup>th</sup> day of July, 2016, at Los Angeles, California.

/s/ Alan M. Klein

Alan M. Klein

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PROOF OF SERVICE